

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT				1. CONTRACT ID CODE		PAGE OF PAGES 1 4	
2. AMENDMENT/MODIFICATION NO. 0002		3. EFFECTIVE DATE 22-May-2001		4. REQUISITION/PURCHASE REQ. NO. STARS		5. PROJECT NO.(If applicable)	
6. ISSUED BY U.S. ARMY SPACE COMMAND SMDC-AR-CM C. ALKHAFI (719) 554-8827 1670 N. NEWPORT RD., STE 211 COLORADO SPRINGS CO 80916-2749		CODE DASG62		7. ADMINISTERED BY (If other than item 6) See Item 6		CODE	
8. NAME AND ADDRESS OF CONTRACTOR (No., Street, County, State and Zip Code)				X		9A. AMENDMENT OF SOLICITATION NO. DASG62-01-R-0001	
				X		9B. DATED (SEE ITEM 11) 23-Mar-2001	
						10A. MOD. OF CONTRACT/ORDER NO.	
						10B. DATED (SEE ITEM 13)	
CODE		FACILITY CODE					
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS							
<input checked="" type="checkbox"/> The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offer <input type="checkbox"/> is extended, <input checked="" type="checkbox"/> is not extended. Offer must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended by one of the following methods: (a) By completing Items 8 and 15, and returning <u>1</u> copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.							
12. ACCOUNTING AND APPROPRIATION DATA (If required)							
13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.							
A.THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.							
B.THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(B).							
C.THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:							
D.OTHER (Specify type of modification and authority)							
E. IMPORTANT: Contractor <input type="checkbox"/> is not, <input type="checkbox"/> is required to sign this document and return _____ copies to the issuing office.							
14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.) A. The purpose of this amendment is to provide clarifications and revisions to Solicitation DASG62-01-R-0001, as outlined below. Questions and answers dated April 30, 2001, May 2, 2001, May 17, 2001, May 18, 2001, are provided. 1. Sample Task 2 through 4 is incorporated as a part of this modification. NOTE: Sample Task 3 is withdrawn and replaced with Sample Task 3a; 2. FAR Clause 52.232-7 PAYMENTS UNDER TIME-AND-MATERIALS AND LABOR-HOUR CONTRACTS (MAR 2000) is incorporated by reference in Section I. 3. Appendix A, PERSONNEL QUALIFICATIONS GUIDE, Section 2.21.3, correction: "Command and" added to this section. 4. Section K, Clause 52.209-5 CERTIFICATION REGARDING DEBARMENT, SUSPENSION, PROPOSED SUSPENSION, PROPOSED DEBARMENT AND OTHER RESPONSIBILITY MATTERS (APRIL 2001), Page 31 & 32 of 52, replaces same clause dated (JANUARY 2001); DATE AND TIME FOR RECEIPT OF PROPOSALS REMAINS UNCHANGED. PROSPECTIVE OFFERORS ARE REMINDED TO ACKNOWLEDGE THIS AMENDMENT WHEN SUBMITTING THEIR PROPOSAL.							
Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.							
15A. NAME AND TITLE OF SIGNER (Type or print)				16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)			
15B. CONTRACTOR/OFFEROR _____ (Signature of person authorized to sign)		15C. DATE SIGNED		16B. UNITED STATES OF AMERICA BY _____ (Signature of Contracting Officer)		16C. DATE SIGNED 23-May-2001	

SECTION SF 30 BLOCK 14 CONTINUATION PAGE

B. To execute the above, the following is provided:

B.1. Questions and Answers dated April 30, 2001:

1. Question: Reference: Attachment 4-Pricing Tables and Appendix A, Personnel Qualifications incorporating Amendment 0001.

The Subject Matter Expert position requires a Master's degree. We suggest reconsideration of this education requirement. Many of the "gray beards" who can act as Subject Matter Experts do not necessarily possess a Master or Bachelor degree. They are utilized because of their vast amount of experience and knowledge within the particular area of expertise.

ANSWER:

Based on the STARS Statement of Objectives and the defined requirements, the category of Subject Matter Experts should possess a vast amount of experience coupled with advanced degrees. Therefore, no change will be made to this labor category.

2. Question: Request reconsideration that this labor category be a fixed rate. Rather, we suggest this rate be individually negotiated on a per task order basis depending on the requirements of the task order. Per the RFP, the SME represents about 4.5% of the estimated hours. Rates for SMEs, who are likely to be paid consultants to the contractors, will likely be significantly different from SME to SME depending on the particular individual and needed expertise. We suggest that this category be reimbursed at cost to include a negotiated fixed fee/hour to be determined on a task by task basis. This will minimize unnecessary risk to the contractor while at the same time minimizes unnecessary costs to the government since fixed rates would likely be inflated to cover all rate contingencies.

ANSWER: Because this is a fixed priced labor rate contract, all labor categories will be priced at a fixed rate. The Government understands that there will be differences in the SME rates depending on the individuals proposed; however, because of the percentage of estimated hours the SME category represents, a fixed rate should not significantly impact the overall contract price or contractor risk. The Solicitation is structured to allow the Government to rely on competition in its price reasonableness evaluation.

3. Question: Can a contractor employee who is still on active military duty personally represent the contractor in the STARS proposal?

ANSWER: While an individual is on military terminal leave, 18 U.S.C. 203 and 205 prohibit the individual from representing non-Federal (contractor) organizations before any Federal agency. Examples of prohibited representation are: 1) arguing or speaking to (in the sense of urging, advocating or intending to influence) a Federal employee for or against the taking of an action by the Federal agency (this applies whether at a meeting, in a phone conversation, in a personal conversation, or by e-mail); 2) signing reports, letters, memoranda, applications, bids, proposals or other materials that are intended for submission to a Federal agency; and 3) signing agreements with a Federal agency. However, the following activities do not constitute prohibited representation activities. The individual may do the following on behalf of a company or other non-Federal organization while on terminal leave: 1) convey purely factual information to Federal employees; 2) deliver materials or documents to, or receive them from, a Federal employee or Federal agency; 3) answer direct requests for information (without advocating for a particular position); and 4) make wholly-routine requests that do not involve any potential for controversy or dispute (such as a request to use a meeting room).

Presenting information to the Government as part of a proposal, whether in person or on a video, is considered "speaking" with the intent to influence as is prohibited in example (1) above.

Additional Information:

Reference Final RFP issued March 23, 2001, Section L10, D(3), which states:

"3. Proposal presentations shall be conducted by the offeror's team, and shall include the offeror's proposed Program Manager. Presenters on the videotape must be the actual Key Personnel (reference Attachment 7 for "Key Personnel") who will perform or personally direct the work being described. Members of the subcontracting team should make the relevant presentations. As part of the presentation, the offeror will provide a listing of names and position titles of all presenters. Copies of the presenters' slides should be included on the CD or ZIP disk and clearly identified as such."

The Government's intent in the above referenced paragraph was to specify that the offeror's team members, "including" the key personnel should be presenters. It is not the intent to make it mandatory for "all" key personnel to be presenters.

B.2. Questions and Answers dated May 2, 2001:

QUESTION:

Reference - L10 PROPOSAL PREPARATION INSTRUCTIONS D. 3.

Question - This section states "Presenters on the videotape must be the actual Key Personnel (reference Attachment 7 for "Key Personnel") who will perform or personally direct the work being described". While we intend to include our key personnel in our video presentation, we would like to have our CEO, President, or Executive Vice President brief the Executive Summary in the video presentation. Would this be acceptable under the current language included in Section L.10 or must all presenters on the video tape be "Key Personnel"?

ANSWER:

Yes, you may include company personnel such as the CEO, President or Executive Vice President in the video presentation. The intent was to have the "actual" personnel presenting, not to have professional presenters on the video. Utilizing the company personnel and those individuals that will actually be doing the work meets the requirement.

B.3. Questions and Answers dated May 17, 2001:

1. Please clarify if a Cost Accounting Standards Certificate is required from each Teammate?

ANSWER: We believe the question is referring to Disclosure Statements which must be submitted to DCMA by contractors who have sufficient government business to require compliance with cost accounting standards.

See FAR Appendix 9903 <http://farsite.hill.af.mil/VFFARA.HTM>

Offerors must make their own determination on cost accounting standards (CAS) applicability based on the FAR reference. Note that contracts and subcontracts with small businesses are exempt. When reading the FAR language keep in mind that the labor rates on STARS are fixed-priced. There are sizeable cost reimbursement CLINs, but commercial items are also exempt from CAS.

2. Will the Sample Tasks 2-4 be released on Monday 5/14? If so, at approximately what time?

ANSWER: Yes, the Sample Tasks were posted to the ARSPACE web site on May 14, 2001. A new Sample Task 3a was posted on May 15, 2001, which replaced Sample Task 3.

3. Do you require written Task Order Plans to be submitted in support of the Sample Tasks?

ANSWER: No, a written Task Order Plan is not required.

4. Can you please confirm that the contractor will be able to submit monthly invoices for services provided under the STARS contract. Neither 52.232-7 (Payments Under T&M and Labor-Hour Contracts) or 52.232-28 (Invitation to Propose Performance Based Payments) are included in the RFP. I realize 52.232-1 is included but it is prescribed for "fixed-price" service contracts vs. the "fixed-labor rate" which is in the STARS RFP.

ANSWER: FAR Clause 52.232-7 PAYMENTS UNDER TIME-AND-MATERIALS AND LABOR-HOUR CONTRACTS (MAR 2000) , will be added to Section I of the STARS solicitation which will allow the contract to submit invoices on a monthly basis.

5. Is CGSC information available? (Reference Sample Task 04)

ANSWER: Information is available at the following web site:

www.cgsc.army.mil

Once you are on the web site, go to CGSOC Resident AAPs, then DJMO A-500 series, then go to A-537 and A-543.

B.4. Questions and Answers dated May 18, 2001:

1. In Section K, there are listed at the beginning several clauses "provided by reference." Many of these require no fill-ins. However, a few would typically have blocks to check - e.g., Affirmative Action Compliance and Certification of Toxic Chemical Release Reporting.

Should these be downloaded from another source and filled in, or does my signature on page 29 of 52 indicate that we are in full compliance with all regulations cited?

ANSWER: Reference Section L, FAR Clause 52.252-1, page 35 of 52.

B.5. Sample Task 2, Sample Task 3a and Sample Task 4 provided as an attachment to this amendment.

B.6. FAR Clause 52.232-7 PAYMENTS UNDER TIME-AND-MATERIALS AND LABOR-HOUR CONTRACTS (MAR 2000) is incorporated by reference in Section I.

B.7. Appendix A, PERSONNEL QUALIFICATIONS GUIDE, Section 2.21.3, is corrected to read as follows:

2.21.3 Shall have a Master's degree and at least 20 years experience in national policy development and executive leadership (e.g. defined in U.S. government as General Officer level or civil service equivalent), and positions that require specific expertise in the Space Product arena; Weather, Terrain, Environmental Monitoring (WTEM); Positioning, Navigation and Timing; Reconnaissance, Intelligence, Surveillance and Target Acquisition (RISTA); missile defense; space control; satellite communications; Information Operations; space integration; and Command and Control Battlefield Visualization (C2BV); or have a PhD and at least 15 years experience in any combination of the disciplines addressed above.

B.8. Section K, FAR Clause 52.209-5 CERTIFICATION REGARDING DEBARMENT, SUSPENSION, PROPOSED SUSPENSION, PROPOSED DEBARMENT AND OTHER RESPONSIBILITY MATTERS (APRIL 2001), replaces same clause dated (JANUARY 2001).